

Remarks:

This application has been reviewed carefully in view of the Office Action mailed October 4, 2004 ("the Office Action"). In the Office Action, claims 4 and 8 were rejected under 35 U.S.C. § 112, second paragraph, as allegedly indefinite for failing to particularly point out and distinctly claim the subject matter that Applicant regards as the invention. Claims 2, 4, 6-12 and 15 were rejected under 35 U.S.C. § 103(a), as allegedly unpatentable over Miura, U.S. Patent No. 6,322,451, in view of Begis, U.S. Patent No. 6,024,643. Claim 13 was rejected under 35 U.S.C. § 103(a), as allegedly unpatentable over Miura in view of Begis, and further in view of Luciano, Jr., U.S. Patent No. 6,050,895.

The above-described rejections are addressed as follows:

INTERVIEW

Applicant notes with appreciation the telephonic interview held between the Examiner and Applicant's attorney on January 27, 2005.

Applicant notes the Examiner's interview comments regarding the step of / means for notifying, in claims 7, 8 and 9, and their inclusion of the phrase "provided with different thinking routines". In light of these comments, Applicant has further amended claims 7, 8 and 9 to move that phrase to the step of / means for activating.

CLAIM REJECTIONS UNDER 35 U.S.C. § 112, SECOND PARAGRAPH

Claims 4 and 8 were rejected under 35 U.S.C. § 112, second paragraph, as allegedly indefinite. This rejection was resolved in the interview on January 27, 2005, and claim 8 is now amended in light of that discussion.

The rejection of claims 4 and 8 are now overcome, and Applicant respectfully requests it be withdrawn.

CLAIM REJECTIONS UNDER 35 U.S.C. § 103(a)

Claims 2, 4, 6-12 and 15 were rejected under 35 U.S.C. § 103(a), as allegedly
5 unpatentable over Miura, in view of Begis. Dependent claim 13 was separately rejected
under 35 U.S.C. § 103(a), as allegedly unpatentable over Miura in view of Begis, and
further in view of Luciano, Jr.

Claim 7 has been amended to recite: "... a means for notifying the actual game
10 players of the availability of the selected virtual game players to competitively play after
connection between the server and the actual game players is discontinued temporally, the
means for notifying being configured such that the virtual game players appear to the
actual game players as actual game players." Claims 8 and 9 have been similarly
amended.

Support for these amendments may be found on page 22, third full paragraph, in
particular, lines 18-19, which recite: "Then, connection is discontinued temporally, so that
the user is registered on a competitor list (data base 34)." Additional support can be found
on page 24, last paragraph, and in Figure 17.

Advantageously, allowing for the player to disconnect while being on standby to
play frees up the player's connection, which in some cases may avoid possible connection
fees or interference with other activities. This is true regardless of whether the player is
subsequently contacted regarding another actual player, or a virtual player.

Furthermore, even if a subsequent player is a virtual player, providing for the
player to disconnect adds to an illusion that the subsequent player is an actual player who
is contacting the disconnected player for a game. Thus, the system adds to the player's
enjoyment by simulating the method by which actual players meet, even though no other
30 actual player is available to play.

Since neither Miura nor Begis teaches or suggests such features, Applicants respectfully submit that claims 7-9 are now in a condition for allowance. Claims 2, 4, 6, 10-13 and 15 all depend from corresponding independent claims 7-9, adding features that further distinguish over the Miura and Begis patents. For this reason, the rejection of
5 claims 2, 4, 6-13 and 15 under 35 U.S.C. § 103, is now improper, and Applicant respectfully requests it be withdrawn.

NEW CLAIMS

10 New claims 16-21 have been added to the application per discussion in the interview. Support for these claims may be found on page 25 of the application.

15 CONDITIONAL REQUEST FOR INTERVIEW

In light of Applicant's amendments and arguments, Applicant believes that the claims are now in condition for allowance. Applicant notes with appreciation that during the recent interview, the Examiner indicated that she would contact Applicant's attorney if
20 additional issues were raised during the review of this Amendment. Applicant requests that such an interview take place if it is needed to resolve any remaining issues.

CONCLUSION

In view of the foregoing, Applicants respectfully request that a timely Notice of Allowance be issued in this case.

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Respectfully submitted,

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